I negate: Economic sanctions ought not be used to achieve foreign policy objectives.

Ought is a moral obligation, so the value is Morality. We have a moral obligation to respect human rights and stop human rights violations. Gewirth,

Gewirth, Alan (Professor of Philosophy at U Chicago) Human Rights: Essays on Justification and Applications, p 1-2. 1982

**Human rights are** a species of moral rights: they are **moral rights which all persons equally have simply because they are human.** To call them “moral” is to say that they are based upon or justifiable through a valid moral principle**.** To call a principle “moral,” in turn, is to indicate that it sets forth as categorically obligatory certain requirements for action that are addressed at least in part to all actual or prospective agents and that are concerned with furthering the interests, especially the most important interests, of person or recipients other than or in addition to the agent or the speaker. **Since human rights have the egalitarian universality** mentioned above, **the moral principle through which they are justified must also require that the interests subserved by the rights be those of all persons equally.** There are other rights besides moral ones, including legal, prudential, and intellectual rights. The differences among these stem primarily from the different kinds of principles or criteria that serve to ground or justify the rights. This is most obvious in the case of legal rights, which are based on statuses and other laws. Hence, on on the one hand, it is important not to confused these various kinds of rights with one another and to attribute to rights in general features that pertain to only one kind of right – to moral rights, for example. But, on the other hand, all kinds of rights have certain features in common insofar as they are all rights. Philosophers have tried, with considerable difficulty, to analyze what these common features are. The difficulties include the dangers of circularity and of using expressions that are at least as opaque as the concept of a right itself. In what follows I shall confine myself to what Hohfield called “claims,” or claim-rights, in contrast to liberties, powers, and immunities. For the human rights are entirely or mainly kinds of claim-rights. The initial way of distinguishing claim-rights from other rights is not, as in the preceding classification, in terms of their diverse justification criteria but, rather, in terms of their logically implied correlatives. A claim-right of one person entails a correlative duty of some other person or persons to act or to refrain from acting in ways required for the first person’s having that to which he has a right. The reason why the human rights are claim-rights is not only that many of them require enforcement or protection by government, for this aspect also pertains to others of Hohfeld’s kinds of rights. The essential reason is that **human rights are rights to certain especially important objects or goods, and for any person to have these objects it is necessary that all other persons at least refrain from interfering with his (or her) having the objects and** also, in certain circumstances, **that other persons or groups assist him to have or acquire these objects.** The latter requirement often involves a framework of institutional, especially governmental, rules. These necessities or requirements constitute duties that are hence correlative with the rights.

Thus, because of the universality of human rights, there exists a moral obligation to ensure they are not violated. Therefore, the standard is promoting human rights.

My thesis and sole contention argue that economic sanctions promote human rights. Sanctions do this in three ways. Baek 1,

Baek, Buhm Suk (J.S.D. candidate, Cornell Law School.) “Economic Sanctions Against Human Rights Violations.” Cornell Law School Inter-University Graduate Student Conference Papers. March 2008

There are broadly three rationales underpinning economic sanctions for the achievement of these purposes. **First, imposing economic sanctions seeks to influence a targeted state to change its policies or even its government actions.**240 **Second, it publicly expresses an opposition against the targeted state’s policies to the people in the targeted state as well as the international community including other potential target states**.241 **Third, it aims to punish the targeted state for its policies.**242

Sanctions thus have dual goals: to stop human rights violations and to publicly express disapproval of egregious actions. The US’s uses of economic sanctions, through both of these goals, has stopped human rights abuses. Baek 2,

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However, the cases discussed above demonstrate that the **U.S. economic sanctions have played an important role in “broadening and deepening the global response” to the human rights crisis in the targeted states.**332 They also show that the **sanctions induced the targeted states to accept international treaty obligations including human rights norms and modestly change their human rights policies.** In most of the cases, **ultimately the targeted state entered into a comprehensive agreement including the protection of human rights with the international community in order to have the sanctions lifted.**

Baek 3 provides the empirical example,

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**In response to the U.S. sanctions** since 1995, **the Burmese military government has taken “a number of modest but significant steps.”**323 **It released** Aung San Suu Kyi, **the pro-democracy leader of the political opposition party**, the National League for Democracy (NLD), **from her six- year house arrest** in 1995, though her rights to travel and meet other democracy advocates were restricted.324 In the late 1990s, **the use of forced labor declined due to the Burmese government’s replacement of man power by machinery.**325 In 1999, **the Burmese government permitted the International Committee of the Red Cross to reopen its office** in the capital of Burma **and to visit Burmese prisons on a regular basis.**326 Since October 2000, the Burmese military government had engaged Aung San Suu Kyi, the head of the NLD, in peace talks for a political settlement in Burma.327 On July 27, 2000, **the government reopened most universities** which had been closed since 1996.328 **In addition, the Burmese military government periodically released small groups of political prisoners** and 182 of them had been freed by November 2002.329 **Overall, the U.S. economic sanctions against Burma and its support for the Burmese democracy movement have played an essential role in promoting change in Burma.** There are still strong criticisms on the effect of the U.S. sanctions against Burma.330 However, this paper believes that the refusal of China and ASEAN to support the U.S. sanctions should be the main target of such criticisms because Burmese economy is heavily dependent on the export of natural resources like natural gas to those countries.

Thus, economic sanctions have empirically stopped human rights abuses. Moreover, not using economic sanctions would send a message that the US doesn’t care about human rights violations, because sanctions have become an international norm. Baek 4,

Baek, Buhm Suk (J.S.D. candidate, Cornell Law School.) “Economic Sanctions Against Human Rights Violations.” Cornell Law School Inter-University Graduate Student Conference Papers. March 2008

Overall, this paper concludes that **economic sanctions have become part of a collective effort by the international community to develop current human rights norms and to protect and promote fundamental human rights in the targeted states. The international community has been increasingly willing to recognize gross human rights violation as a matter which threatens regional and international peace and to grant economic sanctions. Because of the increasing use of economic sanctions,** this paper also concludes that **the use of economic sanctions against gross human rights violations has become an accepted customary international norm.**